IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 17492 of 2006

DATE OF DECISION : 6.11.2006

Anil Kumar

.....PETITIONER

VERSUS

Union of India and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE M.M.S.BEDI

PRESENT: Mr.Aman Arora, Advocate for petitioner.

M.M.KUMAR,J.

The grievance of the petitioner ventilated in this writ petition is that after the superannuation of Ranjit Singh, Deputy Commandant of GC, C.R.P.F., Jalandhar Shri Satbir Singh, Second-in-Command of GC, CRPF, Jalandhar was appointed as an Inquiry Officer. According to the petitioner, the earlier Inquiry Officer has examined the prosecution witnesses and the evidence of the prosecution was closed by order dated 4.4.2006 (Annexure P-4). However, the new Inquiry Officer started denovo inquiry by re-examining all the witnesses and one additional witness,namely, Naresh Kumar and now the matter is fixed before the Inquiry Officer for the defence of the petitioner.

After hearing learned for the petitioner, we are of the

considered view that the instant petition is wholly premature because all the issues , which have been raised before us as well as in the writ petition can easily be raised before the inquiry Officer. At this stage, we cannot usurp the powers conferred on the punishing authority, who is to go into the whole inquiry proceedings and give a finding whether the same are in accordance with the law and principles of natural justice. Thereafter, the remedy of appeal has also been provided by the Central Reserved Police Force Rules, 1955. Therefore, we do not express any opinion on the merit of the case and dismiss the writ petition as premature . The petitioner shall be at liberty to raise all the pleas, raised in this writ petition before the Inquiry Officer and other authorities under the rules.

(M.M.KUMAR)
JUDGE

November 6 ,2006 (M.M.S.BEDI)
TSM JUDGE